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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,821	09/19/2001	Raymond J. Eberhard	END920010030	1703

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EXAMINER

CHANG, ERIC

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/955,821	Applicant(s) EBERHARD ET AL.	
	Examiner Eric Chang	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9-19-2001</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-30 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S.

Patent 5,167,024 to Smith et al.

4. As to claim 1, Smith discloses a method for conserving power in a computing unit [10], the computing unit including a plurality of components [20, 22 & 25], the method comprising: during a power saving mode [col. 1, lines 47-56], receiving at the computing unit a request from an external source [col. 8, lines 20-25]; determining which components of the computing unit are required to respond to the request [col. 9, lines 40-42]; selectively activating, from the power saving mode, the components of the computing unit necessary to respond to the request [col. 7, lines 37-40]; and responding to the request using the selectively activated components of the computing unit [col. 5, lines 32-40, and col. 9, lines 40-68].

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5. As to claim 2, Smith discloses the request comprises a request to retrieve a document from one of the components of the computing unit [col. 10, lines 1-3].

6. As to claim 3, Smith discloses the request comprises a request to save a document on one of the components of the computing unit [col. 10, lines 1-3].

7. As to claim 4, Smith discloses the request comprises a request to synchronize data between the computing unit and the external source [col. 9, lines 55-62]. Smith teaches the powering parallel and serial interfaces when necessary; such as in order to synchronize data with the external source, as would be obvious to one of ordinary skill in the art.

8. As to claim 5, Smith discloses that prior to receiving the request, placing the computing unit in a power saving mode [col. 8, lines 17-20].

9. As to claim 6, Smith discloses returning the components of the computing unit to the power saving mode after responding to the request [col. 9, lines 62-66].

10. As to claim 7, Smith discloses only the components necessary to respond to the request are activated [col. 9, lines 62-66].

11. As to claim 8, Smith discloses transmitting instructions to the activated components necessary to respond to the request [col. 9, lines 50-56].

12. As to claim 9, Smith discloses the instructions include retrieving data stored in one of the activated components [col. 10, lines 1-3].

13. As to claim 10, Smith discloses the instructions include storing data in one of the activated components [col. 10, lines 1-3].

14. As to claim 11, Smith discloses receiving the request comprises authenticating the source of the request [col. 8, lines 40-42].

15. As to claim 12, Smith discloses a system for conserving power in a computing unit [10], the computing unit including a plurality of components [20, 22 & 25], the system comprising means for: during a power saving mode [col. 1, lines 47-56], receiving at the computing unit a request from an external source [col. 8, lines 20-25]; determining which components of the computing unit are required to respond to the request [col. 9, lines 40-42]; selectively activating, from the power saving mode, the components of the computing unit necessary to respond to the request [col. 7, lines 37-40]; and responding to the request using the selectively activated components of the computing unit [col. 5, lines 32-40, and col. 9, lines 40-68].

16. As to claim 13, Smith discloses the request comprises a request to retrieve a document from one of the components of the computing unit [col. 10, lines 1-3].

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17. As to claim 14, Smith discloses the request comprises a request to save a document on one of the components of the computing unit [col. 10, lines 1-3].

18. As to claim 15, Smith discloses the request comprises a request to synchronize data between the computing unit and the external source [col. 9, lines 55-62]. Smith teaches the powering parallel and serial interfaces when necessary; such as in order to synchronize data with the external source, as would be obvious to one of ordinary skill in the art.

19. As to claim 16, Smith discloses that prior to receiving the request, placing the computing unit in a power saving mode [col. 8, lines 17-20].

20. As to claim 17, Smith discloses only the components necessary to respond to the request are activated [col. 9, lines 62-66].

21. As to claim 18, Smith discloses transmitting instructions to the activated components necessary to respond to the request [col. 9, lines 50-56].

22. As to claim 19, Smith discloses computer executable software code for conserving power in a computing unit [10], the computing unit including a plurality of components [20, 22 & 25], the code comprising code for: during a power saving mode [col. 1, lines 47-56], receiving at the computing unit a request from an external source [col. 8, lines 20-25]; determining which components of the computing unit are required to respond to the request [col. 9, lines 40-42];

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selectively activating, from the power saving mode, the components of the computing unit necessary to respond to the request [col. 7, lines 37-40]; and responding to the request using the selectively activated components of the computing unit [col. 5, lines 32-40, and col. 9, lines 40-68].

23. As to claim 20, Smith discloses the request comprises a request to retrieve a document from one of the components of the computing unit [col. 10, lines 1-3].

24. As to claim 21, Smith discloses the request comprises a request to save a document on one of the components of the computing unit [col. 10, lines 1-3].

25. As to claim 22, Smith discloses the request comprises a request to synchronize data between the computing unit and the external source [col. 9, lines 55-62]. Smith teaches the powering parallel and serial interfaces when necessary; such as in order to synchronize data with the external source, as would be obvious to one of ordinary skill in the art.

26. As to claim 23, Smith discloses that prior to receiving the request, placing the computing unit in a power saving mode [col. 8, lines 17-20].

27. As to claim 24, Smith discloses only the components necessary to respond to the request are activated [col. 9, lines 62-66].

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28. As to claim 25, Smith discloses transmitting instructions to the activated components necessary to respond to the request [col. 9, lines 50-56].

29. As to claim 26, Smith discloses a computer unit comprising: a plurality of components [20, 22 & 25]; a power management subsystem [11] capable of activating from a power saving mode at least one of said plurality of components [col. 5, lines 32-40, and col. 9, lines 40-68]; and a server [10] adapted to receiving at the computing unit a request from an external source [col. 8, lines 20-25] and determining which components of the computing unit are required to respond to the request [col. 9, lines 40-42].

30. As to claim 27, Smith discloses the request comprises a request to retrieve a document from one of the components of the computing unit [col. 10, lines 1-3].

31. As to claim 28, Smith discloses the request comprises a request to save a document on one of the components of the computing unit [col. 10, lines 1-3].

32. As to claim 29, Smith discloses the request comprises a request to synchronize data between the computing unit and the external source [col. 9, lines 55-62]. Smith teaches the powering parallel and serial interfaces when necessary; such as in order to synchronize data with the external source, as would be obvious to one of ordinary skill in the art.

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33. As to claim 30, Smith discloses only the components necessary to respond to the request are activated [col. 9, lines 62-66].

Conclusion

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Chang whose telephone number is (703) 305-4612. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 24, 2004
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